

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

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**SIXTIETH LEGISLATIVE DAY  
THURSDAY, MARCH 10, 2005**

Senate Chamber

President Risch called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Geddes and Senators Gannon, Langhorst, Little, Schroeder, Stegner, and Stennett, absent and excused. [District 21 seat temporarily vacant.]

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Chert Griffith, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

Senators Langhorst and Stegner were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of March 8 and March 9, 2005, were read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

President Pro Tempore Geddes and Senators Gannon, Little, and Stennett were recorded present at this order of business.

March 9, 2005

The JUDICIARY AND RULES Committee reports that **S 1187** has been correctly printed.

DARRINGTON, Chairman

**S 1187** was referred to the Finance Committee.

March 9, 2005

The EDUCATION Committee reports out **SCR 111** with the recommendation that it do pass.

GOEDDE, Chairman

**SCR 111** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 9, 2005

The EDUCATION Committee reports out **SCR 114**, **SCR 115**, and **H 16** with the recommendation that they do pass.

GOEDDE, Chairman

**SCR 114** and **SCR 115** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

**H 16** was filed for second reading.

March 9, 2005

The JUDICIARY AND RULES Committee reports out **H 95**, **H 96**, **H 128**, and **H 155** with the recommendation that they do pass.

DARRINGTON, Chairman

**H 95**, **H 96**, **H 128**, and **H 155** were filed for second reading.

March 9, 2005

The FINANCE Committee reports out **S 1187** with the recommendation that it do pass.

CAMERON, Chairman

**S 1187** was filed for second reading.

March 10, 2005

The FINANCE Committee reports out **S 1160** with the recommendation that it be referred to the State Affairs Committee.

CAMERON, Chairman

There being no objection, **S 1160** was re-referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

Senator Schroeder was recorded present at this order of business.

March 9, 2005

Mr. President:

I transmit herewith **H 294, HCR 17, H 99, H 252, and H 264** which have passed the House.

JUKER, Chief Clerk

**H 294, HCR 17, H 99, H 252, and H 264** were filed for first reading.

March 9, 2005

Mr. President:

I return herewith **S 1059, S 1090, S 1005, S 1006, S 1007, S 1050, S 1083, S 1141, SCR 107, S 1002, SCR 112, SJM 105, SJM 102, SJM 103, SJM 104, S 1013, S 1014, S 1015, S 1016, S 1023, S 1091, S 1110, and S 1066** which have passed the House.

JUKER, Chief Clerk

**S 1059, S 1090, S 1005, S 1006, S 1007, S 1050, S 1083, S 1141, SCR 107, S 1002, SCR 112, SJM 105, SJM 102, SJM 103, SJM 104, S 1013, S 1014, S 1015, S 1016, S 1023, S 1091, S 1110, and S 1066** were referred to the Judiciary and Rules Committee for enrolling.

March 9, 2005

Mr. President:

I transmit herewith **HCR 11, H 262, H 45, H 41, H 121, H 62, H 34, H 170, H 78, H 79, H 80, H 81, H 82, H 131, and H 176** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HCR 11, H 262, H 45, H 41, H 121, H 62, H 34, H 170, H 78, H 79, H 80, H 81, H 82, H 131, and H 176** and ordered them returned to the House.

March 9, 2005

Mr. President:

I return herewith Enrolled **S 1162** which has been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1162** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced the State Affairs Committee report relative to the Gubernatorial appointment of James Michael "Dyke" Nally was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Lodge disclosed a possible conflict of interest under applicable law.

On motion by Senator Bunderson, seconded by Senator Stennett, the Gubernatorial appointment of James Michael "Dyke" Nally as Superintendent of the Idaho State Liquor Dispensary was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that **SJM 108** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Andreason, seconded by Senator Stennett, **SJM 108** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **SCR 116** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Malepeai, seconded by Senator Stegner, **SCR 116** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **SCR 117** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Little, seconded by Senator Stennett, **SCR 117** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HCR 15** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Broadsword, seconded by Senator Langhorst, **HCR 15** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1188

#### BY FINANCE COMMITTEE

#### AN ACT

APPROPRIATING MONEYS FOR THE MILITARY DIVISION FOR FISCAL YEAR 2006; GRANTING A CONTINUOUS APPROPRIATION FOR THE BUREAU OF HOMELAND SECURITY'S MISCELLANEOUS REVENUE FUND FOR FISCAL YEAR 2006; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**S 1189**  
**BY JUDICIARY AND RULES COMMITTEE**  
 AN ACT

RELATING TO ACCIDENTS INVOLVING DAMAGE TO VEHICLES; AMENDING SECTION 49-662, IDAHO CODE, TO PROVIDE THAT A PEACE OFFICER IS AUTHORIZED TO REQUIRE REMOVAL FROM THE MAIN-TRAVELED PART OF A HIGHWAY CARGO AND DEBRIS CAUSED BY A MOTOR VEHICLE ACCIDENT, TO AUTHORIZE THE ASSISTANCE OF TRANSPORTATION DEPARTMENT EMPLOYEES IN REMOVAL OF CARGO AND DEBRIS, TO PROVIDE THAT PERSONS LAWFULLY INVOLVED IN THE REMOVAL SHALL NOT BE LIABLE FOR DAMAGE CAUSED BY REASONABLE EFFORTS OF REMOVAL, TO PROVIDE THAT THE PROVISIONS OF THIS SECTION SHALL NOT BE CONSTRUED TO ALLOW INTERFERENCE WITH DUTIES OF LAW ENFORCEMENT OFFICERS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-1301, IDAHO CODE, TO REQUIRE DRIVERS OF VEHICLES INVOLVED IN ACCIDENTS WHICH RESULT ONLY IN DAMAGE TO THE VEHICLE AND WHICH OCCUR ON DIVIDED, ACCESS-CONTROLLED HIGHWAYS OR INTERSTATE HIGHWAYS TO MAKE THE REQUIRED STOP BY MOVING THE VEHICLE TO THE SHOULDER, EMERGENCY LANE OR MEDIAN IF SUCH A MOVE CAN BE MADE IN ACCORDANCE WITH SPECIFIED CONDITIONS, TO PROVIDE THAT DRIVERS OR OTHER PERSONS REMOVING A VEHICLE IN FULFILLMENT OF THE REQUIREMENTS OF LAW SHALL NOT BE LIABLE OR CONSIDERED AT FAULT REGARDING THE CAUSE OF THE ACCIDENT SOLELY BY REASON OF MOVING THE VEHICLE AND TO PROVIDE THAT THE PROVISIONS OF THIS SECTION SHALL NOT BE CONSTRUED TO ALLOW INTERFERENCE WITH DUTIES OF LAW ENFORCEMENT OFFICERS.

**S 1188** and **S 1189** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 294**, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

**HCR 17**, by Education Committee, was introduced, read at length, and referred to the Education Committee.

**H 99**, **H 252**, and **H 264**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 125**, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

**H 120**, **H 89**, **H 90**, **H 136**, and **H 141**, by Business Committee, were read the second time at length and filed for third reading.

**H 235**, by State Affairs Committee, was read the second time at length and filed for third reading.

**S 1182**, **S 1184**, and **S 1185**, by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

**S 1121**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Little, Lodge, McGee, McKenzie, Pearce, Richardson, Sweet, Williams. Total - 23.

NAYS--Burkett, Corder, Kelly, Keough, Langhorst, Malepeai, Marley, Schroeder, Stegner, Stennett, Werk. Total - 11.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1121** passed, title was approved, and the bill ordered transmitted to the House.

**S 1175** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1175** passed, title was approved, and the bill ordered transmitted to the House.

The President called Senator Little to the Chair.

**S 1176** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Total - 34. [District 21 seat vacant.]

Whereupon the Acting President declared **S 1176** passed, title was approved, and the bill ordered transmitted to the House.

The President Pro Tempore assumed the Chair.

**S 1177** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Total - 34. [District 21 seat vacant.]

Whereupon the President Pro Tempore declared **S 1177** passed, title was approved, and the bill ordered transmitted to the House.

**S 1178** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Marley arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Total - 34. [District 21 seat vacant.]

Whereupon the President Pro Tempore declared **S 1178** passed, title was approved, and the bill ordered transmitted to the House.

**S 1154**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Total - 34. [District 21 seat vacant.]

Whereupon the President Pro Tempore declared **S 1154**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

The President returned to the Chair.

**S 1086**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1086**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1136**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 32.

NAYS--Williams. Total - 1.

Absent and excused--Coiner. Total - 1.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1136**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 4:30 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senators Hill and Pearce, absent and formally excused by the Chair; and Senators Andreason, Cameron, Marley, Stennett, Sweet, and Williams, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

Senators Andreason, Marley, Stennett, and Sweet were recorded present at this order of business.

**S 1130**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Langhorst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Coiner, Compton, Corder, Gannon, Goedde, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 24.

NAYS--Burtenshaw, Darrington, Davis, Geddes, Jorgenson, Richardson. Total - 6.

Absent and excused--Cameron, Hill, Pearce, Williams. Total - 4.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1130**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Senator Cameron was recorded present at this order of business.

**S 1044**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total -30.

NAYS--None.

Absent and excused--Andreason, Hill, Pearce, Williams. Total - 4.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1044**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1161**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 31.

NAYS--None.

Absent and excused--Hill, Pearce, Williams. Total - 3.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1161**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Senator Williams was recorded present at this order of business.

**H 50**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 31.

NAYS--Richardson. Total - 1.

Absent and excused--Hill, Pearce. Total - 2.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **H 50**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 122**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burkett, Cameron, Coiner, Compton, Corder, Darrington, Davis, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Stennett, Sweet, Werk. Total - 25.

NAYS--Brandt, Burtenshaw, Richardson, Schroeder, Williams. Total - 5.

Absent and excused--Gannon, Hill, Pearce, Stegner. Total - 4.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **H 122**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 102**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Langhorst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Goedde, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Sweet, Werk, Williams. Total - 29.

NAYS--Geddes, Jorgenson, Stennett. Total - 3.

Absent and excused--Hill, Pearce. Total - 2.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **H 102** passed, title was approved, and the bill ordered returned to the House.

**S 1166** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--None.

Absent and excused--Hill, Pearce. Total - 2.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **S 1166** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Darrington, granted by unanimous consent, **S 1165** retained its place on the Third Reading Calendar for Tuesday, March 15, 2005.

**H 190** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--None.

Absent and excused--Hill, Pearce. Total - 2.

Total - 34. [District 21 seat vacant.]

Whereupon the President declared **H 190** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 278** was placed at the head of the Third Reading Calendar, followed by all Senate Finance Committee bills, followed by remaining Senate bills, followed by remaining House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 5:40 p.m. until the hour of 10 a.m., Friday, March 11, 2005.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary